

Before the
Federal Communications Commission
 Washington, DC

In the Matter of

Amendment of Section 202(b),
 Table of Allotments,
 FM Broadcast Stations
 (Olpe, Kansas)

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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

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To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Michael D. Law hereby requests that the Commission amend the Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Olpe, Kansas	---	276A

In support thereof, the following is stated:

Attached hereto is a Technical Statement which demonstrates that Channel 276A can be allotted at 38° 12' 39" N, 96° 10' 50" W, which will prevent any shortspacing from occurring with any currently authorized or proposed facility.

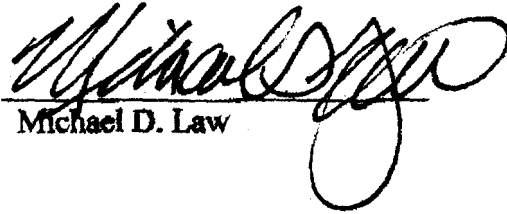
Adoption of this proposal will be in the public interest. As demonstrated in the Technical Statement, approval of this proposal will allow Michael D. Law to provide new service to the public in Olpe, Kansas. Michael D. Law will apply for the allotment at such time as this proposal is adopted.

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Accordingly, Michael D. Law respectfully requests that this Petition be adopted, that the Commission amend the FM Table of Allotments to specify the new channel at Olpe, Kansas, and that the Commission request comment on the proposal contained herein.

Respectfully submitted,

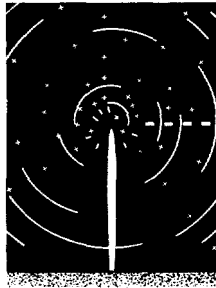
MICHAEL D. LAW



Michael D. Law

Michael D. Law
12462 Hallet
Olathe, KS 66062
(816) 531-2535

February 28, 2000



WHEELER **BROADCAST** CONSULTING

Engineering Statement

This consultant has been retained by Michael D. Law for the purpose of preparing this engineering statement in support of a Proposed Rule Making to amend the FM table of allotments, 47 CFR 73.202 (b), by adding channel 276 A to Olpe, Kansas as its first local service.

The coordinates of Olpe, Kansas are listed by the United States Census Bureau as follows:

38° 15' 43" N. Latitude

96° 10' 01" W. Longitude

Exhibit 1, included in this report, is a study of the Commission's December 31, 1999 FM database which indicates that Channel 276 A can be allocated to Olpe with the imposition of a 5.78 km, South site restriction so as to clear the first adjacent, Class C2, Operation of KQTP in St. Marys, KS.

Suitable coordinates for the purposes of allocation, determined by selecting the point nearest to Olpe, Kansas to which the minimum spacing requirements of 47 CFR 73.207 are met, would be:

38° 12' 39" N. Latitude

96° 10' 50" W. Longitude

5025 MARTWAY
SUITE 112
MISSION, KS 66202
913.362.7282
913.362.7287

Exhibit 2, also included in this report, is a digitally generated map which was created by data extracted from USGS & NGDC files that depicts the open area in which a transmitter could be located and also demonstrates that the proposed facility, from the reference coordinates would be in complete compliance with the principal community coverage requirements of 47 CFR 73.315. Contours were predicted via a digital algorithm that mirrors the Commission's own algorithm and were based on a study of 360 equally spaced radials.

Olpe, Kansas

Olpe, Kansas is a census designated city that is located in Lyon County, Kansas. The population of Olpe is 431 persons according to the 1990 US census¹. Olpe has a mayor and city council form of municipal government with 5 council members. Olpe has its own zip code, 66865. Educational needs for the community are provided by the Olpe Elementary School, the Olpe High School, or the St. Joseph School. Fire protection for the citizens of Olpe is provided by the Olpe Volunteer Fire Department. The City of Olpe provides recreational facilities to its residents at the Olpe City Park. Banking services for the residents and businesses in Olpe are provided to the community by the Olpe State Bank. Olpe is not located in or near any urbanized area and it is an independent community that is eligible for service under the Commission's allocation criterion.

Conclusion

Olpe, Kansas is a community deserving of its first local service and the allocation proposed in this Rule Making would provide that service. It is therefore respectfully requested that 47 CFR 73.202(b) be amended as follow:

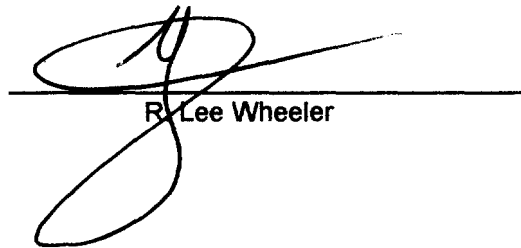
Community	Present Allocation	Proposed Allocation
Olpe, KS	-----	276 A

¹ Census data was gathered from the United States Census Bureau's World Wide Web page at <http://www.census.gov>.

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

01/31/00
Date


R. Lee Wheeler

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Michael D. Law
Olpe, KS

REFERENCE		DISPLAY DATES
38 12 39 N	CLASS A	DATA 01-21-00
96 10 50 W	Current rules spacings	SEARCH 01-31-00
----- CHANNEL 276 -103.1 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KQTP	275C2	St. Marys	KS	11.9	106.02	106.0	0.02 <
LI ZCN	39 08 42	95 55 37	50.000 kW	98M	65.9	65.9	
	Shawnee Broadcasting Corporat				BLH941213KB		
KPRS	277C	Kansas City	MO	57.9	171.00	165.0	6.00
LI CN	39 00 57	94 30 24	100.000 kW	303M	106.3	102.6	
	Carter Broadcast Group, Inc.				BLH870522KA		
KINDFM	275C3	Independence	KS	160.8	111.49	89.0	22.49
CP CN	37 15 42	95 45 59	25.000 kW	83M	69.3	55.3	
	Central Broadcasting, Inc.				BPH970210IE 990414		
>From Channel 275A per One-Step Application & per D90-95							
KBLS	273C1	North Fort Riley	KS	327.2	98.14	75.0	23.14
LI CN	38 57 05	96 47 45	100.000 kW	150M	61.0	46.6	
	The Eagle Broadcasting Compan				BLH921230KB		
KHUT	275C1	Hutchinson	KS	264.0	161.96	133.0	28.96
LI CY	38 02 39	98 00 56	100.000 kW	131M	100.7	82.7	
	Eagle Radio, Inc.				BLH910530KB		
KEYNFM	279C1	Wichita	KS	243.1	115.58	75.0	40.58
LI CN	37 44 07	97 21 03	28.500 kW	89M	71.8	46.6	
	Triathlon Broadcasting of Wic				BLH850206KY		
>*** This license is for an AUXILIARY facility of KEYN-FM, Wichita,							
KNDYFM	276C3	Marysville	KS	345.4	190.58	142.0	48.58
LI CN	39 52 12	96 44 45	9.000 kW	117M	118.4	88.3	
	Dierking Communications, Inc.				BLH910128KB		

